

S.R. 756 - By Parker: Commending the life of public service embraced by Ms. Dolores Lawless.

S.R. 758 - By Henderson: Extending congratulations to Christopher Elbert Coker of Spring on achieving the rank of Eagle Scout.

RECESS

On motion of Senator Brooks, the Senate at 4:01 p.m. took recess until 8:00 a.m. tomorrow.

APPENDIX

Signed by Governor
(May 24, 1989)

S.C.R. 23

S.C.R. 51

S.C.R. 122

H.C.R. 92

H.C.R. 159

H.C.R. 203

H.C.R. 211

H.C.R. 235

Sent to Governor
(May 25, 1989)

S.C.R. 169

Filed with Secretary of State
(May 25, 1989)

H.J.R. 4

SEVENTY-THIRD DAY

(Continued)

(Friday, May 26, 1989)

AFTER RECESS

The Senate met at 8:00 a.m. and was called to order by Senator Glasgow.

REPORTS OF STANDING COMMITTEES

By unanimous consent, Senator Brooks submitted the following report for the Committee on Health and Human Services:

C.S.H.B. 100

C.S.H.B. 3072

By unanimous consent, Senator Santiesteban submitted the following report for the Committee on Natural Resources:

H.B. 1458 (Amended)

H.B. 183 (Amended)

By unanimous consent, Senator Glasgow submitted the following report for the Committee on Jurisprudence:

H.B. 2939
H.C.R. 40
H.C.R. 228
H.B. 635
H.B. 3065 (Amended)

By unanimous consent, Senator McFarland submitted the following report for the Committee on Criminal Justice:

H.B. 3021
H.B. 579
H.B. 427
H.J.R. 101
H.B. 646
H.B. 439
H.B. 760
H.B. 370
H.J.R. 19
H.B. 828
H.B. 3201
C.S.H.B. 1777
C.S.H.B. 377
C.S.H.B. 524
C.S.H.B. 1929
C.S.H.B. 1582
C.S.H.B. 731
C.S.H.B. 2489
C.S.H.B. 2634
C.S.H.B. 669
C.S.H.B. 1231

MESSAGE FROM THE HOUSE

House Chamber
May 26, 1989

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

Pursuant to S.C.R. 169, the Speaker's signature was removed from S.B. 1103. The House reconsidered the vote by which S.B. 1103 finally passed by a non-record vote. S.B. 1103 was again finally passed, as amended, by record vote of 133 Yeas, 0 Nays, 2 Present-not voting.

S.B. 596, Relating to the sale by the Texas Department of Public Safety of certain real property in Travis County.

S.B. 1744, Relating to the authority of certain rapid transit authorities to adopt and enforce regulations, to commission peace officers, and to set forth the powers and jurisdiction of the peace officers. (As amended)

S.B. 187, Relating to payment of benefits by a public retirement system pursuant to a qualified domestic relations order and to the requirement of spousal consent for the selection of certain retirement options. (As amended)

S.B. 1183, Relating to a course in American Sign Language fulfilling other language requirements. (As amended)

The House has granted the request of the Senate for the appointment of a Conference Committee on **S.B. 208**. The following have been appointed on the part of the House: Parker, Chair; McCollough, Ovard, Hinojosa, Warner.

The House has granted the request of the Senate for the appointment of a Conference Committee on **S.B. 224**. The following have been appointed on the part of the House: D. Hudson, Chair; Hollowell, McWilliams, Russell, A. Smith.

The House has granted the request of the Senate for the appointment of a Conference Committee on **S.B. 1071**. The following have been appointed on the part of the House: Wilson, Chair; A. Moreno, Jackson, Barton, S. Thompson.

The House has granted the request of the Senate for the appointment of a Conference Committee on **S.B. 600**. The following have been appointed on the part of the House: Tallas, Chair; Hury, Cain, Hilbert, Guerrero.

The House has granted the request of the Senate for the appointment of a Conference Committee on **S.B. 1386**. The following have been appointed on the part of the House: Shea, Chair; Parker, Uher, Smithee, McCollough.

S.J.R. 5, Proposing a constitutional amendment to authorize the issuance of an additional \$500 million of Texas water development bonds for water supply, water quality and flood control purposes. (As amended)

S.J.R. 53, Proposing a constitutional amendment relating to the guarantee of bonds issued by the State to fund local schools by the permanent school fund. (As amended)

S.J.R. 71, Proposing a constitutional amendment relating to the election of a district attorney in Fort Bend County.

S.J.R. 74, Proposing a constitutional amendment providing for the issuance of general obligation bonds by the Texas Higher Education Coordinating Board to assist in financing the Texas opportunity plan fund to make loans to students to attend institutions of higher education.

The House has granted the request of the Senate for the appointment of a Conference Committee on **S.B. 1516**. The following have been appointed on the part of the House: Valigura, Chair; Cain, Hightower, Saunders, Kuempel.

The House has refused to concur in Senate Amendments to **H.B. 843** and has requested the appointment of a Conference Committee to consider the differences between the two houses. The following have been appointed on the part of the House: Criss, Chair; Soileau, Shea, Lucio, Barton.

The House has refused to concur in Senate Amendments to **H.B. 1193** and has requested the appointment of a Conference Committee to consider the differences between the two houses. The following have been appointed on the part of the House: Valigura, Chair; Polumbo, Park, Lucio, Kuempel.

The House has refused to concur in Senate Amendments to **H.B. 2566** and has requested the appointment of a Conference Committee to consider the differences between the two houses. The following have been appointed on the part of the House: Glossbrenner, Chair; Arnold, Hammond, G. Luna, Berlanga.

The House has refused to concur in Senate Amendments to **H.B. 3127** and has requested the appointment of a Conference Committee to consider the differences

between the two houses. The following have been appointed on the part of the House: Hilderbran, Chair; Junell, Willy, M. Jackson, J. Harris.

The House has adopted the Conference Committee Reports on the following bills by non-record votes:

S.B. 264
S.B. 954
S.B. 1504

The House has adopted the Conference Committee Report on **S.B. 338** by a record vote of 124 Ayes, 8 Nays, 1 Present-not voting.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE RESOLUTIONS ON FIRST READING

On motion of Senator Truan and by unanimous consent, the following resolutions were introduced, read first time and referred to the Committee indicated:

S.R. 757 by Truan, Armbrister, Brooks, Administration
Brown, Parker, Uribe
Requesting the Lieutenant Governor to create a special interim committee to study the structure and operation of the CATPOOL.

S.R. 759 by Glasgow Administration
Requesting the Senate Committee on Jurisprudence to study the current system whereby foreclosures are effectuated.

S.R. 760 by Glasgow Administration
Requesting the Jurisprudence Committee of the Texas Senate to study the rationale for the current lack of uniform jurisdiction and determine the feasibility of implementing a uniform grant of jurisdiction for all statutory county courts.

S.C.R. 175 by Washington Administration
Requesting the Lieutenant Governor and Speaker, pursuant to **H.C.R. 142**, to reestablish the Transition Services Task Force.

CONFERENCE COMMITTEE REPORT HOUSE JOINT RESOLUTION 40

Senator Harris submitted the following Conference Committee Report:

Austin, Texas
May 25, 1989

Honorable William P. Hobby
President of the Senate

Honorable Gibson D. "Gib" Lewis
Speaker of the House of Representatives

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **H.J.R. 40** have met and had the same under consideration, and beg to report it back with the recommendation that it do pass.

HARRIS
HENDERSON
ARMBRISTER
LEEDOM

On the part of the Senate

DANBURG
C. HARRIS
GUERRERO
GIBSON
TALLAS

On the part of the House

The Conference Committee Report was read and was filed with the Secretary of the Senate.

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Glasgow in Chair) announced that the time had arrived for consideration of the Local and Uncontested Bills Calendar.

Pursuant to Senate Rule 9.03(d), the following bills were laid before the Senate, read second time, amended where applicable, passed to engrossment/third reading, read third time and passed: (Vote on Constitutional Three-Day Rule and final passage indicated after the caption of each bill.)

C.S.S.R. 418 (Zaffirini) Establishing a task force to study the demand for higher education services in areas of the State not currently served by higher education institutions. (vv)

C.S.S.R. 653 (Zaffirini) Directing the Natural Resources Committee to establish an interim study committee to examine regulation of radioactive materials. (vv)

S.R. 655 (Sims) Directing the Senate Natural Resources Committee to study hunting licenses and seasons. (vv)

S.R. 679 (Carriker) Encouraging Texas medical schools to offer students exposure to family practice. (vv)

S.R. 687 (Uribe) Directing the Natural Resources Subcommittee on Water to conduct an interim study on the feasibility of designating resacas as State parks and creating large sporting areas. (vv)

C.S.S.C.R. 13 (Barrientos) Requesting the Lieutenant Governor and Speaker to recreate the Joint Special Committee on High School Dropouts. (vv)

S.C.R. 60 (Barrientos) Encouraging the State Board of Education to include the peer assistance and leadership course to each school district. (vv)

C.S.S.C.R. 64 (Barrientos) Establishing the Select Committee on Employee Classification and Compensation. (vv)

C.S.S.C.R. 65 (Tejeda) Creating the Joint Special Committee on State Veterans' Homes. (vv)

C.S.S.C.R. 81 (Washington) Establishing the Advisory Committee on the Mental Health Care of Deaf or Hearing Impaired Adults and Children to the Commissioner of Mental Health and Mental Retardation. (vv)

C.S.S.C.R. 112 (Brooks) Creating the Legislative Oversight Committee on the HIV Epidemic. (vv)

S.C.R. 115 (Krier) Requesting the Lieutenant Governor and Speaker of the House to create a special interim committee to study State agency allocation of funding and services. (vv)

C.S.S.C.R. 138 (Green) Creating a joint select committee to oversee a study of the operation and management of the State Board of Insurance. (vv)

C.S.S.C.R. 146 (Lyon) Establishing a special interim committee to study the entire criminal justice system. (vv)

C.S.S.C.R. 157 (Krier) Requesting the Speaker of the House to appoint a Special Committee on the Edwards Aquifer. (vv)

C.S.S.C.R. 158 (Krier) Requesting that the Lieutenant Governor and the Speaker of the House of Representatives create the Special Committee on Biotechnology in Texas. (vv)

S.C.R. 161 (Johnson) Requesting the Lieutenant Governor and Speaker to create a joint study committee on day care. (vv)

S.C.R. 162 (Truan) Requesting the Lieutenant Governor and Speaker of the House to create a special joint interim committee to study the structure and operation of the CATPOOL. (vv)

S.B. 747 (Uribe) Relating to the produce recovery fund. (30-1) Washington "Nay" (31-0)

C.S.S.B. 1331 (Santiesteban) Relating to the requirement for a raptor propagation permit. (30-1) Washington "Nay" (31-0)

C.S.S.B. 1787 (Brown) Amending the municipal civil service act to provide for the establishment of promotional requirements in a municipality of 1.5 million or more. (30-1) Washington "Nay" (31-0)

S.B. 1820 (Carriker) Relating to the authority of a municipality to engage in economic development programs. (30-1) Washington "Nay" (31-0)

C.S.S.B. 1821 (Henderson) Relating to the definition of family homes as community-based residential homes exclusively for disabled persons. (30-1) Washington "Nay" (31-0)

S.B. 1831 (Santiesteban) Relating to the issuance of certain permits by the Texas Water Commission. (30-1) Washington "Nay" (31-0)

S.B. 1851 (Dickson) Relating to the juvenile boards in Blanco, Burnet, Llano, Mason and San Saba counties. (30-1) Washington "Nay" (31-0)

H.C.R. 104 (Barrientos) Encouraging agencies and organizations involved in dropout prevention to extend services to youths 12 and 13 years of age. (vv)

C.S.H.C.R. 107 (Barrientos) Creating the Statewide Media Task Force on Dropout Prevention. (vv)

H.C.R. 229 (Dickson) Recognizing National Mental Illness Awareness Week. (vv)

H.B. 108 (Ratliff) Relating to the public notice of a meeting to consider a property tax rate increase. (30-1) Washington "Nay" (31-0)

H.B. 180 (Ratliff) Relating to a reduction in registration fees for professional registered engineers who are retired or at least 65 years of age. (30-1) Washington "Nay" (31-0)

Senator Ratliff offered the following committee amendment to the bill:

Amend **H.B. 180** in Section 13(d) (page 2, line 2) by striking "registration" and substituting "annual renewal".

The committee amendment was read and was adopted viva voce vote.

On motion of Senator Ratliff and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

C.S.H.B. 198 (McFarland) Relating to the dismissal of certain misdemeanor charges on completion of a teen court program. (30-1) Washington "Nay" (31-0)

H.B. 312 (Edwards) Relating to the membership of the Texas Board of Licensure for Nursing Home Administrators. (30-1) Washington "Nay" (31-0)

H.B. 329 (Krier) Relating to voting on election day at an absentee polling place by a disabled voter. (30-1) Washington "Nay" (31-0)

H.B. 344 (Edwards) Relating to changing terminology in the Election Code from "absentee voting" to "preelection day voting." (30-1) Washington "Nay" (31-0)

H.B. 421 (Caperton) Relating to the penalties and interest accrued on delinquent ad valorem taxes on the homestead of an elderly person. (30-1) Washington "Nay" (31-0)

H.B. 450 (Green) Relating to write-in voting in an election for the office of trustee of an independent school district. (30-1) Washington "Nay" (31-0)

C.S.H.B. 603 (Sims) Relating to the procedures for collecting a small amount of property tax. (30-1) Washington "Nay" (31-0)

H.B. 608 (Brooks) Relating to the definition of a railroad company for the purposes of incorporation and regulation by the Railroad Commission of Texas. (30-1) Washington "Nay" (31-0)

H.B. 624 (Armbrister) Relating to abandoned motor vehicles. (30-1) Washington "Nay" (31-0)

H.B. 642 (Tejeda) Relating to buildings used as polling places. (30-1) Washington "Nay" (31-0)

C.S.H.B. 696 (Brown) Relating to the payments and projects under contracts between local governments. (30-1) Washington "Nay" (31-0)

H.B. 808 (Bivins) Relating to the period for demonstrating proficiency in the use of firearms by a commissioned security officer or an applicant for a security officer commission. (30-1) Washington "Nay" (31-0)

H.B. 953 (Carriker) Relating to restrictions on persons who may operate certain motorboats. (30-1) Washington "Nay" (31-0)

H.B. 1050 (Armbrister) Relating to the registration of antique motorcycles. (30-1) Washington "Nay" (31-0)

H.B. 1087 (Carriker) Relating to permitting local law enforcement agencies to obtain criminal history information records to investigate residents of a house that may be designated as a temporary safe haven for school-age children. (30-1) Washington "Nay" (31-0)

C.S.H.B. 1174 (Caperton) Relating to continuing legal education and instruction for certain judges. (30-1) Washington "Nay" (31-0)

H.B. 1314 (Brown) Relating to the investment of county funds. (30-1) Washington "Nay" (31-0)

H.B. 1450 (Henderson) Relating to the regulation of credit services organizations. (30-1) Washington "Nay" (31-0)

Senator Henderson offered the following committee amendment to the bill:

Amend **H.B. 1450** by striking Section 18.07(a)(1), Business & Commerce Code, as amended by Section 5 of the bill (page 5, lines 25-27, and page 6, lines 1-3, house engrossment), and substituting:

(1) a [conspicuous] statement in [boldfaced] type that is boldfaced, capitalized, underlined, or otherwise set out from surrounding written material so as to be conspicuous, in immediate proximity to the space reserved for the signature of the buyer, as follows: "You, the buyer, may cancel this contract at any time before midnight of the third day after the date of the transaction. See the attached notice of cancellation form for an explanation of this right.";

The committee amendment was read and was adopted viva voce vote.

On motion of Senator Henderson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 1505 (Zaffirini) Relating to the recognition of foreign country money judgments. (30-1) Washington "Nay" (31-0)

H.B. 1519 (Brown) Relating to continuing education requirements for insurance adjusters. (30-1) Washington "Nay" (31-0)

H.B. 1556 (McFarland) Relating to the appointment of an inmate as a trusty of the Texas Department of Corrections. (30-1) Washington "Nay" (31-0)

H.B. 1563 (Barrientos) Relating to the processing of a voter registration application submitted to the wrong voter registrar. (30-1) Washington "Nay" (31-0)

H.B. 1564 (Truan) Relating to the deadline for submission of a voter registration application before an election. (30-1) Washington "Nay" (31-0)

H.B. 1567 (Armbrister) Relating to the establishment of municipal drainage utilities. (30-1) Washington "Nay" (31-0)

H.B. 1601 (Sims) Relating to the disposition of proceeds from the sale of abandoned motor vehicles. (30-1) Washington "Nay" (31-0)

H.B. 1603 (Henderson) Relating to political funds reporting requirements in connection with certain political club meetings. (30-1) Washington "Nay" (31-0)

H.B. 1637 (Caperton) Relating to the supreme court adopting rules relating to sealing of court records. (30-1) Washington "Nay" (31-0)

H.B. 1673 (Haley) Relating to the creation of the County Court at Law No. 1 of Jasper County. (30-1) Washington "Nay" (31-0)

H.B. 1677 (McFarland) Relating to the use of sealed ballot boxes in absentee voting. (30-1) Washington "Nay" (31-0)

H.B. 1678 (McFarland) Relating to the delivery of the key to the ballot box containing voted ballots in certain elections. (30-1) Washington "Nay" (31-0)

H.B. 1780 (Washington) Relating to requesting a deferral of certain proceedings to complete a driving safety course. (30-1) Washington "Nay" (31-0)

C.S.H.B. 1806 (Brooks) Relating to children placed for adoption, postadoption services for adoptees and the adoptive families. (30-1) Washington "Nay" (31-0)

C.S.H.B. 1834 (Ratliff) Relating to zoning around Lake Cooper. (30-1) Washington "Nay" (31-0)

H.B. 1838 (Parmer) Relating to records kept by certain notaries public. (30-1) Washington "Nay" (31-0)

H.B. 1865 (Zaffirini) Relating to the sale and transportation of white-tailed deer during open season by a scientific breeder. (30-1) Washington "Nay" (31-0)

H.B. 1873 (Henderson) Relating to statutory probate courts. (30-1) Washington "Nay" (31-0)

Senator Henderson offered the following committee amendment to the bill:

Amend **H.B. 1873** as follows:

SECTION 4. Section 25.0021, Texas Government Code, is amended to read as follows:

Sec. 25.0021. Jurisdiction. A statutory probate court as that term is defined in Section 3(ii), Texas Probate Code, has the general jurisdiction of a probate court as provided by the Texas Probate Code and has concurrent jurisdiction with the district court in all actions by or against a personal representative, in all actions involving an inter vivos trust, in all actions involving a charitable trust, and in all actions involving a testamentary trust, whether or not the matter is appertaining to or incident to an estate.

SECTION 5. Subchapter B, Chapter 25, Government Code, is amended by adding Section 25.0025 to read as follows:

Sec. 25.0025. CONFLICT OF LAW RELATING TO STATUTORY PROBATE COURTS.

Any provision contained in this subchapter, or in other subchapters which relate to particular statutory probate courts, shall overrule any conflicting provision in this title which relates to statutory probate courts.

The committee amendment was read and was adopted viva voce vote.

On motion of Senator Henderson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

C.S.H.B. 1947 (Brown) Relating to continuing education requirements for peace officers and to exempting certain honorably retired officers of the Department of Public Safety from those requirements. (30-1) Washington "Nay" (31-0)

H.B. 1964 (Zaffirini) Relating to access to criminal history record information of applicants for a teaching certificate. (30-1) Washington "Nay" (31-0)

H.B. 1977 (Brooks) Relating to the expiration date of the terms of municipal park board members. (30-1) Washington "Nay" (31-0)

H.B. 2032 (Henderson) Relating to the meaning of "qualified voter." (30-1) Washington "Nay" (31-0)

H.B. 2034 (Krier) Relating to interstate agreements relating to the exchange of motor fuel and motor fuel tax information and the enforcement of motor fuel taxes. (30-1) Washington "Nay" (31-0)

H.B. 2059 (Green) Relating to requesting a deferral of certain proceedings to complete a driving safety course. (30-1) Washington "Nay" (31-0)

H.B. 2082 (Carriker) Relating to the definition and operation of Personal Watercraft. (30-1) Washington "Nay" (31-0)

C.S.H.B. 2091 (Armbrister) Relating to the purchase and operation of buildings by the State. (30-1) Washington "Nay" (31-0)

H.B. 2098 (Montford) Relating to a durable power of attorney for health care. (30-1) Washington "Nay" (31-0)

H.B. 2119 (Zaffirini) Relating to the sale or transfer of stock in a water supply or sewer service corporation and to the rights of the person to whom the stock is sold or transferred. (30-1) Washington "Nay" (31-0)

H.B. 2121 (Parker) Relating to the authority of a municipality or county to engage in drug and alcohol education programs. (30-1) Washington "Nay" (31-0)

C.S.H.B. 2126 (McFarland) Relating to hearings on applications for court-ordered mental health services. (30-1) Washington "Nay" (31-0)

H.B. 2191 (Zaffirini) Relating to the supplemental compensation paid to the district attorney of the 293rd Judicial District. (30-1) Washington "Nay" (31-0)

H.B. 2197 (Whitmire) Relating to a recount of votes in an election. (30-1) Washington "Nay" (31-0)

H.B. 2212 (Tejeda) Relating to the prohibition of an employer discharging or disciplining an employee for complying with a subpoena; providing a penalty. (30-1) Washington "Nay" (31-0)

H.B. 2240 (Glasgow) Relating to enforcement of certain provisions of the Private Investigators and Private Security Agencies Act. (30-1) Washington "Nay" (31-0)

H.B. 2294 (Truan) Relating to the conveyance of certain real property in Nueces County by the University System of South Texas. (30-1) Washington "Nay" (31-0)

H.B. 2332 (Sims) Relating to the delivery of home produced wine, ale, malt liquor or beer for certain purposes. (30-1) Washington "Nay" (31-0)

H.B. 2340 (Armbrister) Relating to the County Court at Law of Bastrop County and to the County Court of Bastrop County. (30-1) Washington "Nay" (31-0)

H.B. 2404 (Edwards) Relating to the conveyance of certain real property in Henderson County. (30-1) Washington "Nay" (31-0)

H.B. 2409 (Tejeda) Relating to the issuance of specially designed license plates. (30-1) Washington "Nay" (31-0)

Senator Tejeda offered the following committee amendment to the bill:

Amend **H.B. 2409** by striking SECTION 3 of the bill and renumbering the following sections and cross references to those sections accordingly.

The committee amendment was read and was adopted viva voce vote.

On motion of Senator Tejeda and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 2468 (Brown) Relating to control of emissions of air contaminants from commercial infectious waste incinerators. (30-1) Washington "Nay" (31-0)

H.B. 2476 (Parmer) Relating to the civil liability of certain regional transportation authorities. (30-1) Washington "Nay" (31-0)

H.B. 2501 (Armbrister) Relating to the membership, powers and duties of the Seawall Commission of Matagorda County. (30-1) Washington "Nay" (31-0)

C.S.H.B. 2509 (Krier) Relating to the appointment of a guardian. (30-1) Washington "Nay" (31-0)

H.B. 2514 (Ratliff) Relating to the exclusion of land from a water control and improvement district. (30-1) Washington "Nay" (31-0)

H.B. 2519 (Montford) Relating to auditing, accounting and reporting procedures. (30-1) Washington "Nay" (31-0)

H.B. 2520 (Zaffirini) Relating to venue in residential landlord and tenant actions. (30-1) Washington "Nay" (31-0)

H.B. 2524 (Edwards) Relating to political party conventions. (30-1) Washington "Nay" (31-0)

H.B. 2576 (Green) Relating to filling a vacancy in a nomination of a political party. (30-1) Washington "Nay" (31-0)

H.B. 2606 (Harris) Relating to the custody and holding of the assets of the Employees Retirement System of Texas, Teacher Retirement System of Texas, and the Judicial Retirement System of Texas Plan Two. (30-1) Washington "Nay" (31-0)

H.B. 2631 (Green) Relating to emergency services districts in certain counties. (30-1) Washington "Nay" (31-0)

H.B. 2650 (Green) Relating to filing fee and petition requirements for certain candidates in a general primary election. (30-1) Washington "Nay" (31-0)

H.B. 2698 (Brooks) Relating to the designation and operation of single portal authorities for mental health, drug abuse and alcoholism commitments. (30-1) Washington "Nay" (31-0)

H.B. 2756 (Armbrister) Relating to an appraisal district advisory board for agricultural appraisals. (30-1) Washington "Nay" (31-0)

H.B. 2795 (Henderson) Relating to the penalty for violating the restrictions of an occupational license for essential need or for failing to carry in a vehicle a certified copy of the court order authorizing the license. (30-1) Washington "Nay" (31-0)

C.S.H.B. 2796 (Henderson) Relating to the authority of the sheriffs of certain counties to regulate the manufacture, transfer, use and possession of explosives. (30-1) Washington "Nay" (31-0)

H.B. 2817 (Haley) Relating to changing the name of The Advisory Council for Technical-Vocational Education in Texas. (30-1) Washington "Nay" (31-0)

H.B. 2819 (Brown) Relating to creation of the Fort Bend Subsidence District. (30-1) Washington "Nay" (31-0)

(Senator Sims in Chair)

H.B. 2968 (Zaffirini) Relating to the registration, areas of operation and other requirements of certain foreign motor carriers operating in this State. (30-1) Washington "Nay" (31-0)

Senator Zaffirini offered the following committee amendment to the bill:

Amend **H.B. 2968** by striking Section 1 of the bill and substituting the following:

SECTION 1. Chapter 314, Acts of the 41st Legislature, Regular Session, 1929 (Article 911b, Vernon's Texas Civil Statutes), is amended by adding Section 18b to read as follows:

Sec. 18b. (a) In this section:

(1) "Commercial zone" means a commercial zone in a county of this state that shares a border with Mexico and that is described by Part 1048, Title 49, Code of Federal Regulations.

(2) "Mexican commercial motor carrier" means a motor carrier of property residing or domiciled in Mexico.

(3) "United States commercial motor carrier" means a motor carrier of property residing or domiciled in the United States.

(b) A Mexican commercial motor carrier that is at least 51 percent owned by a citizen of a country other than the United States and domiciled in Mexico may not:

(1) operate or travel in Texas outside a commercial zone; or
(2) both transport property for compensation or hire from Mexico into Texas and transport property for compensation or hire from Texas into Mexico on the return trip if, under the laws of Mexico, a United States commercial motor carrier may not both transport property for compensation or hire from the United States into Mexico and transport property for compensation or hire from Mexico into the United States on the return trip.

The committee amendment was read and was adopted viva voce vote.

On motion of Senator Zaffirini and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 2970 (Zaffirini) Relating to creation of a port authority in and adjacent to the City of Laredo, including the issuance of bonds. (30-1) Washington "Nay" (31-0)

Senator Zaffirini offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **H.B. 2970** as follows:

On line 2, page 1, of the house engrossment, insert the words "of entry" between "port" and "authority".

The committee amendment was read and was adopted viva voce vote.

Senator Zaffirini offered the following committee amendment to the bill:

Committee Amendment No. 2

Amend **H.B. 2970** as follows:

(1) On line 6, page 1, of the House engrossment, insert the words "of entry" between "port" and "authority".

(2) On line 15, page 1, of the House engrossment, insert the words "of Entry" between "Port" and "Authority".

The committee amendment was read and was adopted viva voce vote.

Senator Zaffirini offered the following committee amendment to the bill:

Committee Amendment No. 3

Amend **H.B. 2970** by adding a new subsection (c) to SECTION 5 to read as follows:

"(c) Not later than the 15th day after the date on which the authority or the board acts, the city may approve or disapprove any action by the authority or board. If the city disapproves the act, the act is ineffective. Otherwise, the act becomes effective on the date that the city approves the act or on the 15th day after the date on which the authority or board acted, whichever is first."

The committee amendment was read and was adopted viva voce vote.

On motion of Senator Zaffirini and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 2979 (Parker) Relating to the regulation of hazardous waste management in Texas; restricting hazardous waste from disposal at municipal solid waste facilities. (30-1) Washington "Nay" (31-0)

H.B. 2987 (Armbrister) Relating to the withholding from earnings of child support. (30-1) Washington "Nay" (31-0)

C.S.H.B. 3016 (Brown) Relating to the identification of certain city and county vehicles. (30-1) Washington "Nay" (31-0)

H.B. 3060 (Santiesteban) Relating to the acquisition of water, sewer or drainage systems of certain non-profit corporations by water districts and the assumption of obligations related thereto. (30-1) Washington "Nay" (31-0)

H.B. 3078 (Haley) Relating to the exemption of certain marine vessels from numbering requirements, to age requirements for wearing life preservers, to rearview mirror requirements and to emergency lights used on water safety vessels. (30-1) Washington "Nay" (31-0)

H.B. 3079 (Armbrister) Relating to the penalties for violations of commercial fishing license requirements under the Parks and Wildlife Code. (30-1) Washington "Nay" (31-0)

H.B. 3100 (Carriker) Relating to the creation of the Kent County Underground Water Conservation District. (30-1) Washington "Nay" (31-0)

H.B. 3105 (Armbrister) Relating to the creation of the Shiner Hospital District. (30-1) Washington "Nay" (31-0)

H.B. 3113 (Armbrister) Relating to the establishment of a public defender's office in Aransas County. (30-1) Washington "Nay" (31-0)

H.B. 3115 (Ratliff) Relating to the juvenile boards in Bowie and Red River counties. (30-1) Washington "Nay" (31-0)

H.B. 3116 (Armbrister) Relating to the terms of office and election of directors of the Calhoun County Water Control and Improvement District No. 1 and validating certain elections, actions, procedures and expenditures of the district. (30-1) Washington "Nay" (31-0)

H.B. 3123 (Armbrister) Relating to the creation of the Edgar B. Davis Memorial Hospital District. (30-1) Washington "Nay" (31-0)

H.B. 3133 (Glasgow) Relating to the reorganization and conversion of Erath County Water Control and Improvement District No. 1 to become Lake Proctor Irrigation Authority. (30-1) Washington "Nay" (31-0)

H.B. 3136 (Uribe) Relating to the travel expenditures made by the Hidalgo County Drainage District No. 1. (30-1) Washington "Nay" (31-0)

H.B. 3145 (Parker) Relating to the creation of the Liberty County Hospital District. (30-1) Washington "Nay" (31-0)

H.B. 3148 (Edwards) Relating to the county court and the county courts at law in McLennan County. (30-1) Washington "Nay" (31-0)

H.B. 3150 (Montford) Relating to the creation of the Ector County Hospital District. (30-1) Washington "Nay" (31-0)

H.B. 3158 (Edwards) Relating to the exchange of park property owned by certain municipalities. (30-1) Washington "Nay" (31-0)

C.S.H.B. 3168 (Dickson) Relating to the creation of the San Saba Hospital District. (30-1) Washington "Nay" (31-0)

H.B. 3174 (Edwards) Relating to the creation of the Western Hill County Hospital District. (30-1) Washington "Nay" (31-0)

H.B. 3175 (Edwards) Relating to certain public retirement systems for police and fire personnel. (30-1) Washington "Nay" (31-0)

H.B. 3190 (Sims) Relating to the creation of the Ward County Hospital District. (30-1) Washington "Nay" (31-0)

**BILLS REMOVED FROM LOCAL AND UNCONTESTED
BILLS CALENDAR**

<u>Number</u>	<u>Senators Removing</u>
H.B. 1533	Brown, Sims
H.B. 1808	Barrientos, Sims
H.B. 2896	By sponsor, Tejeda

**CONCLUSION OF SESSION FOR LOCAL AND
UNCONTESTED BILLS CALENDAR**

The Presiding Officer (Senator Sims in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

**VOTE ON FINAL PASSAGE OF
HOUSE BILL 312 RECONSIDERED**

On motion of Senator Edwards and by unanimous consent, the vote by which **H.B. 312** was finally passed was reconsidered.

Question - Shall **H.B. 312** be finally passed?

**VOTE ON SUSPENSION OF THREE-DAY RULE
ON HOUSE BILL 312 RECONSIDERED**

On motion of Senator Edwards and by unanimous consent, the vote by which the Three-day Rule on **H.B. 312** was suspended was reconsidered.

Question - Shall the Three-Day Rule be suspended?

**VOTE ON PASSAGE TO THIRD READING
ON HOUSE BILL 312 RECONSIDERED**

On motion of Senator Edwards and by unanimous consent, the vote by which **H.B. 312** was passed to third reading was reconsidered.

Question - Shall **H.B. 312** be passed to third reading?

**VOTE BY WHICH HOUSE BILL 312
WAS READ SECOND TIME RECONSIDERED**

On motion of Senator Edwards and by unanimous consent, the vote by which **H.B. 312** was read second time was reconsidered.

Question - Shall **H.B. 312** be read second time?

ADJOURNMENT

On motion of Senator Brooks, the Senate at 8:44 a.m. adjourned until 9:30 a.m. today.